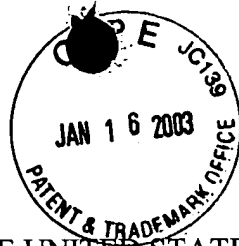


03500.016184.



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)

MINEO SHIMOTSUSA)

Application No.: 10/067,904)

Filed: February 8, 2002)

For: SEMICONDUCTOR DEVICE,)
METHOD OF MANUFACTURING:)
THE SAME AND LIQUID JET)
APPARATUS)

Examiner: Victor A. Mandala

Group Art Unit: 2826

January 15, 2003

*#71 Election
Amended
1/23/03*

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Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Restriction Requirement dated December 16, 2002 (Paper No. 6), Applicant hereby provisionally elects to prosecute the Group I claims, namely Claims 1 to 38, 43 and 44. The Restriction Requirement is, however, traversed.

Traversal is on the ground that there would not be undue burden in examining the two groups of claims in a single application. In particular, MPEP § 808 makes it clear that in order to require restriction between independent or distinct inventions, reasons for insisting upon a restriction requirement, such as undue burden, must also be shown. In the present instance, it is not believed that there would be an undue burden in examining the claims of Groups I and II in a single application. Although it is true that Group I claims a device while Group II claims a method, and that the Group I

device could be made by a method different from that claimed in Group II, it is nevertheless believed that the two groups of claims are not so unrelated as would require a burden on the Examiner that is significantly beyond that of the normal burdens of examination.

Accordingly, reconsideration and withdrawal of the Restriction Requirement are respectfully requested.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



Attorney for Applicant

Registration No. 52,310

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-2200
Facsimile: (212) 218-2200

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